

In the
Indiana Supreme Court



IN THE MATTER OF THE)
)
APPROVAL OF LOCAL RULES)
)
FOR VERMILLION COUNTY)

Case No. 83S00-1107 -MS- 426

ORDER APPROVING AMENDED LOCAL RULES

The judge of the Vermillion Circuit Court requests the approval of amended local rules for appointment of special judges in accordance with Ind. Trial Rule 79 and regulation of court reporter services in accordance with Ind. Administrative Rule 15. Attached to this Order are the proposed amended local rules.

Upon examination of the proposed rule amendments requested by the Vermillion Circuit Court, this Court finds that the proposed rule amendments, LR83-TR79(H)-1 and LR83-AR15-1 comply with the requirements of Ind. Trial Rule 79 and Ind. Administrative Rule 15, and accordingly, should be approved.

IT IS, THEREFORE, ORDERED by this Court that Vermillion County Local Rules, LR83-TR79(H)-1 and LR83-AR15-1, set forth as an attachment to this Order, are approved effective July 1, 2011, provided further that the rules shall be posted in the county clerk's office(s) and on the county clerk's website, if any, and on the Indiana Judicial Website.

The Clerk of this Court is directed to forward a copy of this Order to the Hon. Bruce V. Stengel, Vermillion Circuit Court, P.O. Box 70, Newport, IN 47966-0206; to the Clerk of the Vermillion Circuit Court; and to the Division of State Court Administration. The Clerk is also directed to post this Order on the Court's website.

The Clerk of the Vermillion Circuit Court is directed to enter this Order and attachment in the Record of Judgments and Orders for the Court, to post this Order and attachment for examination by

the Bar and the general public, and if available, to publish this Order and attachment on the county clerk's website.

DONE at Indianapolis, Indiana, this 8th day of July, 2011.

Rt Shepard

Randall T. Shepard
Chief Justice of Indiana

LR 83-TR 79(H)-1 Appointment of Special Judges, Pursuant to TR 79(H)

- A. Pursuant to Trial Rule 79(H), after consulting with the other Judges within the 11th Administrative District established in Administrative Rule 3(A); having considered the effective use of all judicial resources within such Administrative District; and having considered the accessibility of those Judges who are eligible for appointment as a Special Judge pursuant to Trial Rule 79(J); the following Judges shall comprise the list for such appointments, and shall be selected on a rotating basis:
- Judge of the Fountain Circuit Court
 - Judge of the Montgomery Circuit Court
 - Judge of the Montgomery Superior Court 1
 - Judge of Montgomery Superior Court 2
 - Judge of Parke Circuit Court
 - Judge of Vermillion Circuit Court, and
 - Judge of Warren Circuit Court
- B. In the event that no Judge is eligible to serve as a Special Judge or the particular circumstances of the case warrant selection of a Special Judge by the Indiana Supreme Court, such case shall be certified to the Indiana Supreme Court for the appointment of a Special Judge.
- C. After a Special Judge is selected, the caption of all pleadings filed thereafter shall designate "Special Judge _____" immediately below the cause number.
- D. A copy of each pleading or each paper filed with the Court after a Special Judge has been appointed shall be mailed or delivered to the office of that Special Judge by the counsel or litigant with service indicated on the certificate of service.

(Amended effective July 1, 2011)

1. Definitions: All definitions set forth in Administrative Rule 15 of the Indiana Supreme Court are adopted for the purposes of this Rule.
2. Salary: The Court Reporter shall be paid an annual salary for time spent working under the control, direction, and direct supervision of the Court during any regular work hours, gap hours, or overtime hours.
3. County Indigent Work (Transcripts for litigant declared indigent): A maximum per page fee for County indigent transcripts shall be set at \$3.50 per page, plus an additional labor charge at the hourly rate based upon the court reporter's annual compensation may be charged for time spent binding the transcript and the exhibit binders. The Court Reporter shall submit a claim directly to the County for the preparation of the County indigent transcript. A minimum fee of \$35.00 per transcript may be charged.
4. State Indigent Work (Transcripts for litigant declared indigent): A maximum per page fee for State indigent transcripts shall be set at \$3.50 per page, plus an additional labor charge at the hourly rate based upon the court reporter's annual compensation may be charged for time spent binding the transcript and the exhibit binders. The Court Reporter shall submit a claim directly to the State for the preparation of the State indigent transcript. A minimum fee of \$35.00 per transcript may be charged.
5. Private Transcripts (Transcripts paid for by a Private Party): A maximum per page fee for private transcript work shall be set at \$3.50 per page, plus an additional labor charge at the hourly rate based upon the court reporter's annual compensation may be charged for time spent binding the transcript and the exhibit binders. A maximum per page fee for copies of transcript shall be set at \$2.00 per page. If the Court Reporter is requested to prepare an expedited transcript, the maximum per page fee shall be: \$6.50 per page, where the transcript must be prepared within 24 hours or less; and \$5.00 per page, where the transcript must be prepared within three (3) working days.
6. Payment Arrangements of Private Party Ordering Transcript: The party requesting the transcript must pay 100% of the projected cost within 14 days of the filing of Notice of Appeal. Court Reporter will not start a transcript until full payment is made.
7. Annual Report: The Court Reporter shall report on an annual basis to the Indiana Supreme Court Division of State Court Administration on forms prescribed by the Division, all transcript fees (either county, indigent, state indigent, or private) received by the Court Reporter.

8. Depositions: The Court Reporter shall not engage in private practice through recording of a deposition and/or preparing of a deposition transcript by the use of the Court's equipment, work space, or supplies. **If** the Court Reporter elects to engage in private practice through recording of a deposition and/or preparing of a deposition transcript, the Court Reporter shall do so using the Reporter's own equipment, supplies, and work space, and any and all of such private practice shall be conducted outside the regular working hours of the Court on the Reporter's own time.

9. Transcripts: All transcript preparation, required by law to be prepared by the Court Reporter, shall be prepared during regular business hours, when possible, but not until all other duties necessary for operation of the Court are completed. In the event the Court Reporter prepares county indigent, or state indigent transcripts or private transcripts, and the same involves gap and/or overtime hours, the Court and the Reporter shall enter into a written agreement, outlining the manner in which the Reporter is to be compensated for such gap and overtime hours. Either compensation shall be paid for gap hours at the hourly rate, and overtime hours paid one and one half (1 1/2) times the hourly rate, or one (1) hour of compensatory time off for each gap hour worked, and one and one half (1 1/2) hour compensatory time off each hour of overtime worked.

(Amended effective July 1, 2011)